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NOTICE OF ALLOWANCE AND FEE(S) DUE

07/19/2007

Roger R. Wise PILLSBURY WINTHROP LLP Suite 2800 725 South Figueroa Street Los Angeles, CA 90017-5406

EXA	MINER
BRINEY II	I, WALTER F
ART UNIT	PAPER NUMBER

2615

DATE MAILED: 07/19/2007

APPLICATION NO.	. FILING DATE		ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,794	11/07/2003	Toru Hirai	51270-305144	4793
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APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	10/19/2007

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

1. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

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- A. Pay TOTAL FEE(S) DUE shown above, or
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- II. PART B FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.
- III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

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or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where

appropriate. All further indicated unless corrected anintenance fee notificated to the control of the control o	correspondence including below or directed off tions.	ng the Patent, advance of herwise in Block I, by (a	rders and notification of rands specifying a new corres	naintenance fees waspondence address;	ill be mailed to the curren and/or (b) indicating a sep	t correspondence address as arate "FEE ADDRESS" for
		lock 1 for any change of address)	Feet pape	(s) Transmittal. This ers. Each additional	s certificate cannot be used.	or domestic mailings of the for any other accompanying ent or formal drawing, must
Roger R. Wise PILLSBURY W Suite 2800	INTHROP LLP	0/2007		Cert	ificate of Mailing or Tran	smission g deposited with the United st class mail in an envelope above, or being facsimile date indicated below.
725 South Figue Los Angeles, CA						(Depositor's name)
bos imperes, er	170017 3100					(Signature)
			L	· · · · · · · · · · · · · · · · · · ·		(Date)
- APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,794	11/07/2003		Toru Hirai	<u> </u>	51270-305144	4793
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nonprovisional	NO	\$1400	\$300	\$0	\$1700	10/19/2007
EXAM	IINER	ART UNIT	CLASS-SUBCLASS]		
BRINEY III,	WALTER F	· 2615	379-406010			
CFR 1.363). Change of corresp Address form PTO/SI "Fee Address" ind	ondence address or indication ondence address (or Cha 3/122) attached. ication (or "Fee Address or more recent) attach	unge of Correspondence	For printing on the p (1) the names of up to or agents OR, alternative (2) the name of a single registered attorney or a registered patent atto listed, no name will be	3 registered patent vely, e firm (having as a agent) and the name rneys or agents. If r	member a 2	
PLEASE NOTE: Uni	less an assignee is ident h in 37 CFR 3.11. Comp	ified below, no assignee	THE PATENT (print or ty) data will appear on the p T a substitute for filing an (B) RESIDENCE: (CITY	atent. If an assigne assignment.		document has been filed for
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Authorized Signature				Date	7	
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this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/705,794	11/07/2003	Toru Hirai	51270-305144	4793	
7590 07/19/2007			EXAMINER .		
Roger R. Wise			BRINEY III, WALTER F		
PILLSBURY WIN	THROP LLP	•	ART UNIT	PAPER NUMBER	
Suite 2800 725 South Figueroa Street Los Angeles, CA 90017-5406			2615 DATE MAILED: 07/19/200'	7	

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

)	Application No.	Applicant(s)			
	10/705,794	HIRAI ET AL.			
Notice of Allowability	Examiner	Art Unit			
	Walter F. Briney III	2615			
	<u> </u>				
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	is (OR REMAINS) CLOSED in this a) or other appropriate communication RIGHTS. This application is subject	pplication. If not included on will be mailed in due course. THIS			
1. This communication is responsive to the after final amend	lment filed 10 April 2007.				
2. The allowed claim(s) is/are <u>11-15,21,53-60,63-66 and 69-</u>	<u>71</u> .				
3. Acknowledgment is made of a claim for foreign priority u a) All b) Some* c) None of the:					
1. ☑ Certified copies of the priority documents hav					
2. Certified copies of the priority documents hav3. Copies of the certified copies of the priority do					
International Bureau (PCT Rule 17.2(a)).	ocuments have been received in this	s national stage application from the			
* Certified copies not received:					
•					
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDON! THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		y complying with the requirements			
4. A SUBSTITUTE OATH OR DECLARATION must be submit INFORMAL PATENT APPLICATION (PTO-152) which give	nitted. Note the attached EXAMINE res reason(s) why the oath or decla	R'S AMENDMENT or NOTICE OF ration is deficient.			
5. CORRECTED DRAWINGS (as "replacement sheets") mu	ist be submitted.				
(a) ☐ including changes required by the Notice of Draftsper		D-948) attached			
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date					
(b) ☐ including changes required by the attached Examiner Paper No./Mail Date					
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).					
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.					
Attachment(s)		Detect Application			
1. Notice of References Cited (PTO-892)	5. Notice of Informal	• •			
2. Notice of Draftperson's Patent Drawing Review (PTO-948)) 6. ☐ Interview Summa Paper No./Mail D				
3. Information Disclosure Statements (PTO/SB/08),	7. Examiner's Amen	dment/Comment			
Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit	8. 🛛 Examiner's Stater	ment of Reasons for Allowance			
of Biological Material 9. ☐ Other					
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Application/Control Number: 10/705,794

Art Unit: 2615

DETAILED ACTION

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

1. Claims 11-15, 21, 53-60, 63-66 and 69-71 are allowed.

These claims are allowable for the same reasons presented in the Final Rejection filed 10 April 2007, and incorporated herein by reference.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F. Briney III whose telephone number is 571-272-7513. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/705,794

Art Unit: 2615

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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